

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG - 3 2017

Clerk, U.S. Courts
District Of Montana
Butte Division

TIMOTHY L. BLIXSETH,

Appellant,

v.

YELLOWSTONE MOUNTAIN CLUB,
LLC; AD HOC GROUP OF CLASS B UNIT
HOLDERS; CIP SUNRISE RIDGE OWNER
LLC; CIP YELLOWSTONE LENDING
LLC; CROSSHARBOR CAPITAL
PARTNERS, LLC; BRIAN A. GLASSER;
CREDIT SUISSE AG, CAYMAN ISLAND
BRANCH; YELLOWSTONE CLUB
LIQUIDATING TRUST,

Appellees.

No. 12-35986

D.C. No. 11-cv-73-SHE
District of Montana, Butte

**CERTIFICATION OF JUDGMENT TO BE REGISTERED
IN UNITED STATES DISTRICT COURT**

The undersigned hereby certifies that the judgment attached hereto as **Exhibit A** is a certified copy of judgment entered by the United States Court of Appeals for the Ninth Circuit on March 13, 2014 and amended on December 12, 2016, which has been certified by the Clerk of Court for the United States Court of Appeals for the Ninth Circuit.¹

The undersigned further certifies that no motion to alter, amend, vacate, or reconsider the attached judgment is pending before any court, the time for appeal has expired, and no appeal has been filed or, if one was filed, it is no longer pending.

[Signature Page Follows]

¹ A summary of the judgment amounts is set forth on **Schedule 1** attached hereto.

Dated: August 2, 2017
Boston, Massachusetts

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Owner LLC*

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the Yellowstone Club Liquidating Trust*

SCHEDULE 1

Summary of Judgment Amounts

- (1) \$105,881.26 in favor of CrossHarbor Capital Partners, LLC and CIP Sunrise Ridge Owner LLC and jointly and severally against Timothy L. Blixseth and Michael J. Flynn (*see* **Exhibit A-1** at 39-40);
- (2) An additional \$24,796.41 in favor of CrossHarbor Capital Partners, LLC and CIP Sunrise Ridge Owner LLC and against Michael J. Flynn (*see* **Exhibit A-1** at 39-40);
- (3) \$42,031.81 in favor of Brian A. Glasser, Trustee, and Yellowstone Club Liquidating Trust and jointly and severally against Timothy L. Blixseth and Michael J. Flynn (*see* **Exhibit A-2** at 16-17);
- (4) An additional \$9,065.50 in favor of Brian A. Glasser, Trustee, and Yellowstone Club Liquidating Trust and against Michael J. Flynn (*see* **Exhibit A-2** at 16-17);
- (5) \$9,505.08 in favor of Yellowstone Mountain Club, LLC and CIP Yellowstone Lending LLC and jointly and severally against Timothy L. Blixseth and Michael J. Flynn (*see* **Exhibit A-3** at 11-12); and
- (6) An additional \$712.50 in favor of Yellowstone Mountain Club, LLC and CIP Yellowstone Lending LLC and against Michael J. Flynn (*see* **Exhibit A-3** at 11-12).

EXHIBIT A

Mandate of the United States Court of Appeals for the Ninth Circuit

Blixseth v. Yellowstone Mountain Club, LLC, et al.,

Case No. 12-35986 (9th Cir. Mar. 13, 2014)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAR 13 2014

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

TIMOTHY L. BLIXSETH,

Appellant,

v.

YELLOWSTONE MOUNTAIN CLUB,
LLC; et al.,

Appellees.

No. 12-35986

D.C. No. 2:11-cv-00073-SEH

U.S. District Court for Montana,
Butte

MANDATE

A TRUE COPY
ATTEST 07/20/2017

MOLLY C. DWYER
Clerk of Court

by: *Joan Ryan*
Deputy Clerk

The judgment of this Court, entered February 18, 2014, takes effect this
date.

This constitutes the formal mandate of this Court issued pursuant to Rule
41(a) of the Federal Rules of Appellate Procedure.

Costs are taxed against the appellant in the amount of \$1,048.60.

FOR THE COURT:
Molly C. Dwyer
Clerk of Court

Rebecca Lopez
Deputy Clerk